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### REMARKS

Claims 1-20 remain pending and are presented for further examination.

I. Discussion of Rejection Under Nonstatutory Double Patenting

In paragraph 2 of the Office action, the Examiner provisionally rejected Claims 1-7 and 9-20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of co-pending Application No. 10/029,563. The Examiner noted that this is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented. The Examiner indicated that a timely filed terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) may be used to overcome an actual or provisional rejection based on the nonstatutory double patenting ground.

Since this rejection is provisional at this time, Applicant reserves the right to more fully address the Examiner's rejection at a later time, particularly if the prosecution of this and the '563 applications is maintained and the examination of their respective claims has been concluded. At this time, Applicant intimates no position with respect to the legitimacy of the Examiner's position and, particularly, as to whether Claims 1-7 and 9-20 of this application are patentably distinct from those of the '563 application.

Moreover, Applicant notes that this is the only basis for rejecting Claim 14. As this rejection is provisional, Applicant submits that Claim 14 is in condition for allowance.

II. Discussion of Rejection of Claims 1-4, 11, 15, 18, and 19 under 35 U.S.C. § 103(a) based on Kane, et al in view of Suzuki

In paragraph 4 of the Office action, the Examiner rejected Claims 1-4, 11, 15, 18, and 19 under 35 U.S.C. § 103(a) as being unpatentable over EP 0 905 673 A1 to Kane et al. [hereinafter "*Kane*"], which published on March 31, 1999, in view of U.S. Patent No. 6,368,786 to Suzuki [hereinafter "*Suzuki*"]. In rejecting independent Claim 1, the Examiner indicated that Kane teaches all elements of Claim 1 except that Kane does not teach "correction data being derived based on a plurality of reference currents." *O.A. at page 4*. However, the Examiner stated that Suzuki "teaches that a voltage driver (4) can be converted to a current driver (sic)." *O.A. at page 5*. The Examiner took the position that it "would have been obvious to have modified Kane et al with the teaching of Suzuki, since the current driver could have been susceptible to a voltage drop

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due to power supply and the light intensity of the light emitting element is proportion (sic) to the current." *Id.* For the reasons set forth below, Applicant disagrees with the Examiner's determination that *Kane* and *Suzuki* teach or suggest all of the limitations of Claims 1-4, 11, 15, 18, and 19.

A. The Law of Obviousness

To establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion or motivation to combine the reference teachings, (2) there must be a reasonable expectation of success, and (3) the references when combined must teach or suggest all of the claim limitations. See *M.P.E.P.* § 2143. It is well settled that "a showing of a suggestion, teaching or motivation to combine the prior art references is an 'essential component of an obviousness holding'." See, e.g., *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 U.S.P.Q.2d 1456, 1459 (Fed. Cir. 2000). The Examiner can satisfy the burden of showing obviousness of the combination "only by showing some objective teaching in the prior art or knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." *In re Fitch*, 972 F.2d 1260, 1265, 23 U.S.P.Q.2d 1780, 1783 (Fed. Cir. 1992). "Determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art to fit the parameters of the patented invention." *ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 546 (Fed. Cir. 1998).

B. Kane and Suzuki Together Fail to Teach or Suggest All Limitations of Claim 1

Kane describes an OLED pixel structure and method of improving brightness uniformity by reducing current nonuniformities in the OLED. *Kane* at col. 2, para. 0011. In initializing the display, Kane describes applying two data voltages (V1 and V2), and measuring the current for each data voltage. *Id.* at col. 19, para. 0096. As stated by the Examiner, Kane does *not* teach storing voltage data in a correction table derived based, at least in part, on a plurality of reference currents. *O.A.* at page 4.

*Suzuki* fails to cure the deficiency of *Kane* because *Suzuki* also fails to teach or suggest a video display device comprising "a calibration unit configured to generate data in the voltage correction data, said data being derived based, at least in part, on a plurality of reference currents" as recited in Claim 1 (emphasis added). Rather, *Suzuki* discloses an OLED in which the pixels are driven by a plurality of current sources. *Suzuki*, col. 4, lines 13-18. However,

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*Suzuki* fails to disclose "said [voltage] data being derived based, at least in part, on" these current sources. *See Id.* In fact, Applicant submits that neither the portions of *Suzuki* cited by the Examiner in rejecting Claims 1-4 and 7, nor any other portions of *Suzuki* disclose anything about deriving voltage data. *See O.A. at 5 and Suzuki.* Thus, *Suzuki* does not cure *Kane's* failure to disclose voltage "data being derived based, at least in part, on a plurality of reference currents" as recited in Claim 1. Thus, Applicant submits that the combination of *Kane* and *Suzuki* fails to teach or suggest all of the limitations of Claim 1.

For the reasons discussed above, Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness as to Claim 1 because the cited references fail to teach or suggest all claim limitations. Since Claims 11, 15, and 18 include at least some of the patentable features of Claim 1 discussed above, Applicant submits that Claims 11, 15, and 18 are also patentable. Since each of Claims 2-4 and 19 depends either directly or indirectly from Claims 1 or 18, Applicant submits that those claims are also allowable. Accordingly, Applicant requests that the rejection of Claims 1-4, 11, 15, 18, and 19 over *Kane* in view of *Suzuki* be withdrawn.

III. Discussion of Rejection of Claims 1-4, 11, 15, 18, and 19 Under 35 U.S.C. § 103(a) based on *Fan* in view of *Suzuki*

In paragraph 8 of the Office action, the Examiner rejected Claims 1-4, 11, 15, 18, and 19 under 35 U.S.C. § 103(a) as being rendered obvious by U.S. Patent No. 6,473,065 to *Fan* [hereinafter "*Fan*"] in view of *Suzuki*. In rejecting independent Claims 1, 11, 15, and 18, the Examiner took the position that *Fan* teaches all of the limitations of the claimed invention except that *Fan* fails to disclose "the correction data being derived based on a plurality of reference currents. *O.A. at page 5.*

Applicant submits that *Suzuki* fails to cure the deficiency of *Fan* because *Suzuki* also fails to teach or suggest a video display device comprising "a calibration unit configured to generate data in the voltage correction data, said data being derived based, at least in part, on a plurality of reference currents" as recited in Claim 1 (emphasis added). As discussed above with respect to the rejections of the same independent claims over *Kane* in view of *Suzuki*, *Suzuki* discloses an OLED in which the pixels are driven by a plurality of current sources. *Suzuki, col. 4, lines 13-18.* However, *Suzuki* fails to disclose "said [voltage] data being derived based, at least in part,

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on" these current sources. *See Id.* In fact, Applicant submits that neither the portions of *Suzuki* cited by the Examiner in rejecting Claims 1-4 and 7, nor any other portions of *Suzuki* disclose anything at all about deriving voltage data. *See O.A. at 5 and Suzuki.* Thus, *Suzuki* does not cure *Fan's* failure to disclose voltage "data being derived based, at least in part, on a plurality of reference currents" as recited in Claim 1. Thus, Applicant submits that the combination of *Fan* and *Suzuki* fails to teach or suggest all of the limitations of Claim 1.

Since Claims 11, 15 and 18 include at least one of the patentable features of Claim 1 discussed above, the Applicant submits that those claims are also patentable. Since each of Claims 2-4, 15, and 19 depend either directly or indirectly on one of Claims 1, 11 and 18, the Applicant submits that those claims are also allowable. Accordingly, the Applicant requests that the rejection of Claims 1-4, 11, 15, 18, and 19 on *Fan* in view of *Suzuki* be withdrawn.

IV. Discussion of Rejection of Claims 1 and 5 under 35 U.S.C. § 103(a) based on *Silvestre*

In paragraph 6 of the Office action, the Examiner rejected Claims 1-2 and 5-6 under 35 U.S.C. § 103(a) as being unpatentable over International Publication No. WO 01/27910 to *Silvestre et al* [hereinafter *Silvestre*]. The Examiner indicated that *Silvestre* discloses all limitations of Claim 1 except *Silvestre* discloses a current correction table instead of a voltage correction table. However, the Examiner, without citation, took the position that "[i]t would have been obvious to have a voltage correction table instead of a current correction table since the current can be converted to a voltage by applying resistance." For the reasons set forth above, Applicant disagrees with the Examiner's determination that *Silvestre* renders obvious Claims 1, and 5.

A. Brief Description of *Silvestre*

*Silvestre* discloses a driving unit for a light emitting diode (LED) display device that sequentially applies current to each LED in the display to measure the degradation of each LED. *Silvestre at 6, lines 1-11.* A "short test current pulse with amplitude  $I_{\text{measure}}$ " is applied to measure the degradation. The respective driving current for each of the LEDs is modified in response "to compensate for the degradation of the LED." *Id. at lines 11-12.* "The amount of current correction may be determined, e.g., with reference to a tabulated Look-Up-Table or LUT 13." *Id. at lines 12-14.*

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B. Silvestre Fails to Teach or Suggest All Limitations of Claims 1 and 5

Applicant submits that nowhere (and the Examiner fails to indicate where) does *Silvestre* disclose a video display device comprising "a calibration unit configured to generate data in the voltage correction data, said data being derived based, at least in part, on a plurality of reference currents" as recited in Claim 1 (emphasis added). *Silvestre* discloses applying a single "short test current pulse with amplitude  $I_{\text{measure}}$ " *Silvestre* at 6, lines 2-3 (emphasis added). In one embodiment of the claimed invention, a plurality of reference currents is applied to generate data in the voltage correction table. *Specification* at page 13, lines 15-16. Applicant takes the position that the claimed calibration method and system device improves the voltage correction data. Applicant therefore submits that *Silvestre* fails to a calibration unit configured to generate data in the voltage correction data, said data being derived based, at least in part, on a plurality of reference currents" as recited in Claim 1 (emphasis added).

Further, Applicant submits that the Examiner's rejection fails to clearly indicate how *Silvestre* would have been modified to obtain the invention of Claim 1. The Examiner has only stated the physical principle that a voltage can be converted to a current. The Examiner has not provided any citation in the prior art disclosing a video display driver comprising "at least one driver configured to drive at least one organic light emitting diode at a voltage defined, at least in part, by the voltage correction table," as recited in Claim 1. If the Examiner's rejection is based upon one of ordinary skill in the art having such knowledge, then Applicant respectfully requests the Examiner to provide a reference in support of his position. See *M.P.E.P.* § 2144.03. Otherwise, Applicant submits that the Examiner has failed to establish a prima facie case of obviousness because *Silvestre* neither teaches nor suggests all limitations of Claim 1.

As Claim 5 depends from Claim 1, Applicant submits that *Silvestre* also fails to teach or suggest all limitations of Claim 5.

C. The Examiner Failed to Establish a Motivation to Combine

As discussed above, the Examiner argued that it would have been obvious to modify *Silvestre* to use a voltage table instead of a current table "since the current can be converted to a current by applying resistance." *Office Action* at 6. However, Applicant submits that even if *Silvestre* did disclose all other limitations of Claim 1, this finding does not support a prima facie case of obviousness. "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the

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combination." M.P.E.P. §2143.01 (emphasis in original). Here, the Examiner has only stated the conclusion that such a combination can be made but has failed to provide any motivation to combine. Rather, the Examiner has merely stated the physical principle that a "current can be converted to a current by applying resistance" [sic] without providing any motivation for making such a modification to *Silvestre*. Further, the Examiner failed to provide any support for the stated motivation to modify the teachings of *Silvestre* to recognize the invention of Claim 1. Therefore, Applicant submits that Examiner has failed to establish a motivation to combine with respect to Claim 1. Thus, it would not have been obvious to one of ordinary skill in the art to recognize the invention of Claim 1 in view of *Silvestre* and the knowledge of one of ordinary skill in the art.

For the reasons set forth above, Applicant submits that Claim is allowable because *Silvestre* neither teaches nor suggests all limitations of Claim 1 and because the Examiner failed to establish any motivation to combine. As Claim 5 depends from Claim 1, Applicant submits that Claim 5 is allowable for at least the same reasons. Applicant therefore requests that the Examiner withdraw the rejection of each of Claims 1 and 5 in view of *Silvestre*.

V. Discussion of Rejection of Claims 1, 5-7, 9-13, 18, and 20 under 35 U.S.C. § 103(a) based on Takahashi (USPN 5,708,452), Silvestre, and Kuga (USPN 5,703,608)

In paragraph 7, the Examiner rejected Claims 1, 5-7, 9-13, 18, and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,708,452 to Takahashi [hereinafter "*Takahashi*"] in view of *Silvestre* and U.S. Patent No. 5,703,608 to Kuga [hereinafter "*Kuga*"]. The Examiner noted that "*Takahashi* teaches a passive matrix of LED display comprising a voltage correction circuit (Brightness adjusting circuit); a calibration unit (3, 4 and brightness adjusting circuit) for generating data in the voltage correction table; and a driver (4) for applying the correcting voltage to light emitting diodes (see figures 3-4 and column 3, lines 20-56)." *O.A. at page 6*. *Kuga*, the Examiner noted, teaches a display apparatus having a driver (207) with two capacitors (15, 16) alternatively connected to a signal line (3). The Examiner stated that *Silvestre* teaches "a video display comprising a current correction table (13); a calibration unit (6,7,13,14) for generating data in correction table based on a plurality of reference currents (11)(see figures 1-3, page 5, lines 29-32, page 6, lines 1-13, and page 7, lines 3-13)." *O.A. at 6-7*. The Examiner argued that it would have been obvious to modify "*Takahashi* with the teaching of *Silvestre et al*,

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since using a current driver having less susceptible to a voltage drop due to power supply and light intensity of the light emitting element is proportion to the current." *Id.* [sic]. The Examiner further argued that it "would have been obvious to have modified Takahashi et al. with the teaching of Kuga, since they both have sample and hole circuit (see Takahashi's figure 3 and Kuga's figure 9) and Takahashi et al as modified could provide a display apparatus having a high image quality and a high reliability with a simple structure (see Kuga's column 3, lines 57-68)." *Id.*

A. Neither Takahashi, Silvestre, nor Kuga, Alone or in Combination, Teaches the Invention of Claims 1, 5-7, 9-13, 18, and 20

Applicant submits that the cited prior art fails to teach or suggest all of the limitations of Claim 1. More particularly, neither *Takahashi*, *Silvestre*, nor *Kuga*, either alone or in combination, teaches or suggests a video display comprising "a calibration unit configured to generate data in the voltage correction table, said data being derived based, at least in part, on a plurality of reference currents," as recited in Claim 1. The Examiner argued that *Silvestre* discloses these elements of Claim 1. However, as discussed above in Section IV, *Silvestre* only discloses applying a "short test current pulse with amplitude  $I_{\text{measure}}$ " and not a "plurality of reference currents" as recited in Claim 1. *Silvestre* at 6, lines 2-3. Further, neither *Takahashi*, nor *Kuga* teach or suggest a voltage "data being derived based, at least in part, on a plurality of reference currents," as recited in Claim 1. Thus, the combination of *Takahashi*, *Silvestre*, and *Kuga* fails to teach or suggests all of the limitations of Claim 1. Further, it would not have been obvious to one of ordinary skill in the art to modify the teachings of *Takahashi*, *Silvestre*, and *Kuga* to recognize all of the limitations of Claim 1. Since Claims 9 and 18 includes at least one of the patentable features of Claim 1 discussed above, Applicant submits that Claims 9 and 18 are also patentable. Since each of Claims 5-7, 10-13, and 20 depends either directly or indirectly from Claims 1, 9, or 18, Applicant submits that those claims are also allowable. Accordingly, Applicant requests that the rejection of Claims 1, 5-7, 9-13, 18, and 20 in view of *Takahashi*, *Silvestre*, and *Kuga* be withdrawn.

VI. CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in

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support of patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the clarity of the claims to particularly and distinctly point out the invention to those of skill in the art. Finally, Applicant submits that the claim limitations above represent only illustrative distinctions. Hence, there may be other patentable features that distinguish the claimed invention from the prior art.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and, particularly, that all claims be allowed. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully invited to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,  
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